

**STATE OF ILLINOIS  
ILLINOIS COMMERCE COMMISSION**

June 3, 2013

AMEREN TRANSMISSION COMPANY OF ILLINOIS	)	
	)	
Petition for a Certificate of Public Convenience and Necessity,	)	
pursuant to Section 8-406.1 of the Illinois Public Utilities Act, and	)	Docket No. 12-0598
an Order pursuant to Section 8-503 of the Public Utilities Act, to	)	
Construct, Operate and Maintain a New High Voltage Electric	)	
Service Line and Related Facilities in the Counties of Adams,	)	
Brown, Cass, Champaign, Christian, Clark, Coles, Edgar, Fulton,		
Macon, Montgomery, Morgan, Moultrie, Pike, Sangamon, Schuyler,		
Scott and Shelby, Illinois.		

**BRIEF in REGARDS to AMEREN TRANSMISSION COMPANY of ILLINOIS'S  
PETITION of PUBLIC CONVENIENCE and NECESSITY for the "ILLINOIS  
RIVERS PROJECT"**

**I. INTRODUCTION**

On November 7, 2012, Ameren Transmission Company of Illinois (hereinafter referred to as "ATXI"), pursuant to Section 8-406.1 of the Illinois Public Utilities Act (the "Act"), 220 ILCS 5/8-406.1, petitioned the Illinois Commerce Commission (the "Commission") for the issuance of a Certificate of Public Convenience and Necessity authorizing ATXI to construct, operate and maintain a new 345 kV electric transmission line and related facilities, including new or expanded substations, within portions of the State of Illinois.

Thereafter, DONNA M. ALLEN, petitioned to intervene in the captioned proceedings on December 20, 2012.

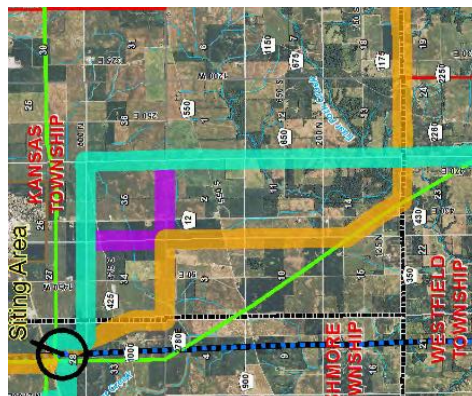
I would like to note that I do not question the general need for upgraded transmission lines and increased reliability within Illinois. I do however challenge the expedited process that has created a situation in which the 'best' routes may not be proposed or utilized because of bureaucracy.

Although my initial intentions were to propose an alternate route, I was not able to file a timely route due to my father's illness and death. Unfortunately it appears that has left me with few arguments other than "not in my back yard". However, I have always been concerned for my neighbors and other residents that will be impacted by the Kansas to Indiana State-Line portion of the "Project". I continue to question whether this portion of the route is necessary and/or justified to provide Illinois residents with reliable and adequate service at the least cost.

Also, as per my Testimony, Allen Exhibit A lines 187-210.

- 1) I am concerned that Illinois is allowing private companies, whose primary concern is profit, to plan the electrical grid in our state. To me that is an infrastructure issue that would be best planned as a whole project rather than piecemeal when an application is presented...
- 2) I am troubled that a private company can apply for approval on a project of this magnitude through an expedited procedure. This impacts thousands of lives. ATXI had years to prepare their proposal, but "we the people" only have a few months...
- 3) The Environmental Citing Criteria (<http://www.ilriverstransmission.com/process/siting-criteria>) that ATXI used to help determine the Primary and Alternate routes clearly states:
  - a) existing Electrical or Utility Corridors and Roadways are "Opportunities" i.e. possible routes.
  - b) "Sensitivities" or areas to avoid are areas of Known Protected Species, Existing Residential Use, Trees and Woodlots.

Yet, as shown in the map below, they are proposing several different **routes** that pass through areas of "Sensitivities" rather than following the thin neon green lines that indicate existing transmission lines "Opportunities".



During verbal examination of Greg Rockrohr on Tuesday, May 14, 2013 on the Transcripts, page 208 line 4 through page 210 line 1; Mr. Rockrohr testified that if he could, he would allot at least a day to drive each segment of the project to research the factors that go into a least cost means analysis. He also testified that he did not, due to the time constraints, do this level of analysis.

Given this information I would argue that no one, except ATXI, has been allowed enough time to research the proposed routes.

Now I would like to call your attention to ATXI's proposed routes in the Kansas to Indiana State-Line portion of the "Project". The proposed routes do not take into consideration the "Opportunities" or "Sensitivities" that ATXI cited as discussed above. Stop the Power Lines Coalition expressed it best in their Reply in Support of its Motion for the Administrative Law Judges to Take Administrative Notice of Certain Governmental Documents filed May 23, 2013 page 5.

I quote *"However, ATXI representatives did not do what any reasonably prudent transmission engineer or person would do, which is to go to the local office of the owner of the federal floodplain easement, the Natural Resources Conservation Service ("NRCS"), to ask for public records reflecting what the terrain in the area was like or what use the NRCS was making of the federal floodplain easement area. Had ATXI done so, they would have been given copies of the topographical maps marked as STPL Ex. 13.0 and the certified report to the NRCS marked as STPL Ex. 14.0, both of which are attached to the Coalition's motion."*

I would contend that in a rush to file the application, the research put into last portion of the transmission line was neglected.

If that is the case then the two primary contributors (ATXI and the ICC) to making a decision that impacts one whole section of this project have not put forth an acceptable level of effort in researching such proposed route.

## **II. REQUIREMENTS FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY**

Section 8-406.1(f) of the Act requires the Commission to grant the requested Certificate “if the Project will promote the public convenience and necessity” as determined by three criteria: (i) need for the project; (ii) managerial, supervisory and technical capability; and (iii) financial capability. 220 ILCS 5/8-406.1(f).

I have no doubt that ATXI has provided sufficient evidence to the Commission to satisfy criteria (ii) and (iii), however, I am unconvinced that the Kansas to Illinois State-Line portion of the project is necessary to provide adequate, reliable and efficient service to the customers and is the least-cost means of satisfying such needs.

## **IV. LEAST-COST AND THE PROPOSED TRANSMISSION LINE ROUTES**

### **G. Kansas – Indiana State Line**

I question the necessity of the Transmission Lines traveling to the substation in Indiana.

If a route must be selected for this area, I support the second alternate route proposed by Stop the Power Lines Coalition.

1. On January 25, 2013, the Administrative Law Judges (ALJ’s) assigned to this cause entered an order granting SPLC leave to propose alternate routes through Clark and Edgar Counties, the same area where I own property.

2. In its Proposal on January 17, 2013, SPLC indicated opposition to both the Primary and Alternate Routes through this area proposed by Petitioner, AMEREN TRANSMISSION COMPANY OF ILLINOIS (“AXTI”), and instead recommended two (2) alternate routes, both of which initially followed a line due east from the Kansas Substation, along existing power transmission lines.

3. My main objection throughout the course of this proceeding is the use of ATXI’s Alternate Route through Clark and Edgar Counties due to it’s failure to use existing right-of-ways.

4. I would note that the ICC Staff, through the direct testimony of Greg Rockrohr, has shown support for the Second Alternative Route proposed by SPLC. See, Direct Testimony of Greg Rockrohr, Lines 1060-81.

5. I would also note that according to the testimony of ATXI Rebuttal Witness Jerry A. Murbarber, the second alternative route proposed by SPLC is the least cost alternative, compared to ATXI's Primary and Alternate Routes, by \$1,571,000. See, Rebuttal Testimony of Jerry A. Murbarger, Lines 50-52, ATXI Exhibit 16.3 (Page 8 of 9).

6. Therefore, I support SPLC's Second Alternative Route as submitted in (PART 3) Stop the Power Lines Coalition's Motion for Leave to File an Alternate Route Proposal Instantly on January 17, 2013, including Exhibits: C (Map of Grandview), C (Map of Kansas) and D, at least as the same encourages the use of the existing right-of-ways.

Dated June 3, 2013

Respectfully submitted,

DONNA M. ALLEN  
221 Bay Colony Drive  
Naperville IL, 60565  
630-357-1387  
canuplay40@gmail.com

### **VERIFICATION**

I, Donna M. Allen, landowner of 22864 North Cleone Rd, Kansas IL which lies directly in the path of the Alternate route of the Ameren Illinois Rivers Project on the Edgar and Clark county line, state that I have read the above and foregoing document have knowledge of the facts stated therein; and herewith state that the facts as set forth therein are true and correct to the best of my knowledge, information and belief.

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SUBSCRIBED AND SWORN TO before me, a Notary Public, on this \_\_\_\_day of \_\_\_\_\_, 2013.

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NOTARY PUBLIC

**CERTIFICATE OF SERVICE**

I, Donna Allen, Intervener, hereby certify that I did, on June 3, 2013, electronically file with the Illinois Commerce Commission a BRIEF in REGARDS to ATXI'S PETITION of PUBLIC CONVENIENCE and NECESSITY for the "ILLINOIS RIVERS PROJECT" and, electronically served the same to the individuals on the Commission's official Service List for Docket No. 12-0598.

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SUBSCRIBED AND SWORN TO before me, a Notary Public, on this  
\_\_ day of \_\_\_\_\_, 2013.

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NOTARY PUBLIC